

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN THE MATTER OF A DEPOSITION
SUBPOENA SERVED IN:

Misc. No. _____

In re MTE Holdings LLC, et al.,¹
pending in the United States Bankruptcy
Court for the District of Delaware, Case No.
19-12269 (CSS)

Angelo, Gordon & Co., L.P.,

Movant

v.

MTE Holdings LLC,

Respondent

DECLARATION OF FURQAAN SIDDIQUI

I, Furqaan Siddiqui, an attorney admitted to practice before this Court, affirm
the following under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am an attorney with the firm of Jones Day, counsel for Angelo, Gordon & Co., L.P.
 (“Angelo Gordon”) in these proceedings.
2. I submit this declaration in support of the accompanying motion by Angelo Gordon to quash
 MTE Holdings LLC’s and its affiliate Debtors’ subpoena to testify at a deposition, and to put
 before the Court true and correct copies of the below-referenced documents, each of which is
 designated an exhibit and annexed to this declaration.

¹ The debtors in the chapter 11 cases pending in the United States Bankruptcy Court for the District of Delaware under Case No. 19-12269 (CSS), along with the last four digits of each debtor’s federal tax identification number, are: MTE Holdings LLC (“MTE”) (7894); MTE Partners LLC (1158); Olam Energy Resources I LLC (0770); MDC Energy LLC (“MDC”) (9140); MDC Texas Operator LLC (1087); Ward I, LLC (6817); and MDC Reeves Energy LLC (3644) (collectively, the “Debtors”). The Debtors’ address is 280 East 96th Street, Suite 210, Indianapolis, Indiana 46240

3. I attended the deposition of Robert Quinn on January 9, 2020 at the offices of Kasowitz Benson Torres LLP at Paramount Plaza, 1633 Broadway, New York, NY 10019 (the “Quinn Deposition”) in an observational capacity on behalf of AG Energy Funding, LLC (“AG Energy”), a lender under that certain Term Loan Credit Agreement, dated as of September 17, 2018, among MTE, as borrower, Riverstone Credit Management LLC (“Riverstone”), as administrative agent, and each lender from time to time party thereto (the “Credit Agreement”).
4. Prior to the commencement of the Quinn Deposition, Mr. Eric Schwartz of Morris, Nichols, Arsht & Tunnell LLP (counsel to the Debtors) advised me that while I should not be allowed to attend the deposition because we had not filed a joinder to the trustee motions, I would be allowed to attend the deposition if I agreed to be subject to the Protective Order signed on January 9, 2020 (D.I. No. 444) (the “Protective Order”).
5. I agreed to be subject to the Protective Order, notwithstanding the fact that I, as counsel to certain of the Lenders (as defined in the Protective Order), was already subject to and allowed disclosure of Confidential Information under the Protective Order. *See* Protective Order, ¶ 8(c).
6. Later on January 9, 2020, Mr. Eric Schwartz also advised me that he would be serving discovery on my clients.
7. Attached hereto as Exhibit 1 is a true and correct copy of the Notice of Subpoena to Testify at a Deposition directed to Angelo Gordon, and filed on January 9, 2020 (D.I. No. 453)².
8. Attached hereto as Exhibit 2 is a true and correct copy of the Protective Order, signed on January 9, 2020 (D.I. No. 444).

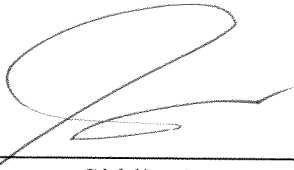
² References to “D.I.” refer to the docket entry numbers in the case *In re MTE Holdings LLC, et al.*, pending in the United States Bankruptcy Court for the District of Delaware, Case No. 19-12269 (CSS)

9. Attached hereto as Exhibit 3 is a true and correct copy of Notice of 30(b)(6) Deposition upon Oral Examination directed to Riverstone, and filed on December 26, 2019 (D.I. No. 364).
10. Attached hereto as Exhibit 4 is a true and correct copy of the Notice of Intent to Serve Subpoena Seeking the Production of Documents directed to D. Forest Wolfe, Angelo Gordon & Co., L.P., and filed on January 9, 2020 (D.I. No. 447).
11. Attached hereto as Exhibit 5 is a true and correct copy of the Notice of Intent to Serve Subpoena Seeking the Production of Documents directed to D. Forest Wolfe, Angelo Gordon & Co., L.P., and filed on January 9, 2020 (D.I. No. 448).
12. Attached hereto as Exhibit 6 is a true and correct copy of the Notice of Intent to Serve Subpoena Seeking the Production of Documents D. Forest Wolfe, Angelo Gordon & Co., L.P., and filed on January 9, 2020 (D.I. No. 449).
13. Attached hereto as Exhibit 7 is a true and correct copy of the Notice of Withdrawal, filed on January 9, 2020 (D.I. No. 451) withdrawing (i) the Notice of Intent to Serve Subpoena Seeking the Production of Documents directed to D. Forest Wolfe, Angelo Gordon & Co., L.P., and filed on January 9, 2020 (D.I. No. 447) and (ii) the Notice of Intent to Serve Subpoena Seeking the Production of Documents directed to D. Forest Wolfe, Angelo Gordon & Co., L.P., and filed on January 9, 2020 (D.I. No. 448).
14. Attached hereto as Exhibit 8 is a true and correct copy of the Notice of Service of Subpoena Angelo Gordon & Co., L.P., and filed on January 10, 2020 (D.I. No. 455).
15. Attached hereto as Exhibit 9 is a true and correct copy of the Letter from counsel for AG Energy Funding, LLC to counsel for the Debtors requesting Withdrawal of the Deficient Subpoenas, dated January 10, 2020.
16. Attached hereto as Exhibit 10 is a true and correct copy of the Motion of Natixis, New York Branch for an Order (I) Appointing a Trustee Pursuant to Section 1104 (A) of the Bankruptcy

Code, Or (II) in the Alternative, Appointing an Examiner Pursuant to Section 1104(C) of the Bankruptcy Code filed on November 12, 2019 (D.I. No. 71).

17. Attached hereto as Exhibit 11 is a true and correct copy of the Motion of Riverstone Credit Management, LLC and Joinder to Motion for an Order Appointing a Chapter 11 Trustee filed on December 16, 2019 (D.I. No. 289).

Dated: January 13, 2020
New York, New York



Furqaan Siddiqui